

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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UNITED STATES OF AMERICA,

v.

CRIM. NO. 97-271 (GAG)

CARLOS GUTIERREZ-NARANJO,

Defendant,

-----X

MOTION FOR ENLARGEMENT OF TIME TO FILE
A REPLY FOR RETURN OF PERSONAL PROPERTY

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COMES NOW, defendant pro se, at FCI Fort Dix, files this motion for enlargement of time to file a reply to the government's opposition for the return of personal property. The defendant basis this request on the grounds set forth below.

1) Pending before the court is the defendant's request for the return of property such as bank accounts, motor boats, and a trailer.

2) On or about September 11, 2007, the government filed a response in opposition to the defendant's request for return of property.

3) The defendant has filed a request for the production of transcripts involving his plea hearing and the alleged forfeiture agreement held in this court on or about November 26, 2003, the sentencing on or about March 26, 2004 and the final order of forfeiture entered on or about May 17, 2004 and or May 28, 2004.

4) The government alleges that the defendant agreed to forfeit his property in the plea agreement without providing

a copy of such document in the response.

5) The defendant is unable to accept or deny such allegation because he does not recall going into such an agreement with the government nor did defendant recall such information in the plea and sentencing hearing process.

6) The defendant is awaiting these documents to be provided to enable him file an adequate and proper reply to the government's response brief in opposition.

7) The defendant is requesting for an enlargement of time of 60 days to file a reply, to include until December 3, 2007.

Wherefore the defendant prays that this request for an enlargement of time to file a reply be granted for 60 days to include until December 3, 2007.

CONCLUSION:

For the reasons set forth, relief be granted.

Respectfully Submitted,



Carlos Gutierrez-Naranjo

#31804-039

FCI Fort Dix

P.O.Box 2000

Fort Dix, NJ 08640.

October 3, 2007.

PROOF OF SERVICE

I certify that on 10-01-07 (date) I mailed a copy of this brief and all attachments via first class mail to the following parties at the addresses listed below:

Maritza Gonzalez-Rivera
Assistant United States Attorney
Torre Chardon, Suite 1201
350 Chardon St
Hato Rey Puerto Rico 00918.

PROOF OF SERVICE FOR INSTITUTIONALIZED OR INCARCERATED LITIGANTS

In addition to the above proof of service all litigants who are currently institutionalized or incarcerated should include the following statement on all documents to be filed with this Court:

I certify that this document was given to prison officials on 10-01-07 (date) for forwarding to the Court ~~appears~~ I certify under penalty of perjury that the foregoing is true and correct. 28 U.S.C. §1746.


Signature

Dated: 10-01-07